

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GETRONICSWANG CO., LLC,

Plaintiff,

v.

HYNIX SEMICONDUCTOR, INC. and
SAMSUNG ELECTRONICS CO., LTD.

Defendants.

Civil Action No. 04-12382 (RCL)

**AFFIDAVIT OF BRUCE S. BARNETT IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

I, Bruce S. Barnett, depose and state as follows:

1) I am an attorney with DLA Piper Rudnick Gray Cary US LLP and am counsel to the defendants in this action.

2) Attached as Exhibit A is a true and correct copy of a letter from Michael Shanahan to K.H. Kim dated December 22, 1989. This letter was Exhibit 2 in the deposition of Anthony Paolillo in this matter.

3) Attached as Exhibit B is a true and correct copy of the portions of the deposition testimony of Anthony P. Paolillo in this matter.

4) Attached as Exhibit C is a true and correct copy of the SIMM Technology Patent License Agreement between Wang Laboratories, Inc. ("Wang") and Samsung Electronics Co., Ltd. ("Samsung"), dated February 17, 1992. This Agreement was Exhibit 4 in the Paolillo deposition.

5) Attached as Exhibit D is a true and correct copy of the SIMM Technology Patent License Agreement between Wang and Goldstar Electron Co., Ltd. (“Goldstar”), executed by Goldstar on April 9, 1992. This Agreement was Exhibit 6 in the Paolillo deposition.

6) Attached as Exhibit E is a true and correct copy of the SIMM Technology Patent License Agreement between Wang and Hyundai Electronics Industries Co., Ltd., (“Hyundai”) dated June 21, 1993. This Agreement was Exhibit 22 in the Paolillo deposition.

7) Attached as Exhibit F is a true and correct copy of the expert report of Dong Soo Kim, defendants’ expert in this matter, dated October 28, 2005.

8) Attached as Exhibit G is a true and correct copy of a letter from JeongHwan Lee to Michael Shanahan, dated May 15, 1992, which was produced by Wang in this matter.

9) Attached as Exhibit H is a true and correct copy of a letter from Gwangho Kim to Thomas L. Scott, Jr., dated May 15, 1992, which was produced by Wang in this matter.

10) Attached as Exhibit I is a true and correct copy of a letter from Maggie Mellonakos to D.S. Chung, dated August 11, 1993. This letter was Exhibit 23 in the Polillo deposition.

11) Attached as Exhibit J are true and correct copies of two charts prepared by Wang summarizing royalty payments and taxes withheld by Goldstar and which were produced by Wang in this action.

12) Attached as Exhibit K is a true and correct copy of a Certified Application for Certification of Tax Paid (or Due) on Korean Source Income of Nonresidents, dated September 23, 1992, which was produced by Wang in this matter.

13) Attached as Exhibit L is a true and correct copy of a Certified Application for Certification of Tax Paid (or Due) on Korean Source Income of Nonresidents, dated December 1996, which was produced by Wang in this matter.

14) Attached as Exhibit M is a true and correct copy of the Complaint and Demand for Jury Trial filed by Wang in this matter.

15) Attached as Exhibit N is a true and correct copy of a chart prepared by Wang summarizing royalty payments and tax withholding by Samsung and which was produced by Wang in this matter.

16) Attached as Exhibit O is a true and correct copy of a Certified Application for Certification of Tax Paid (or Due) on Korean Source Income of Nonresidents, dated April 1994, which was produced by Wang in this matter.

17) Attached as Exhibit P is a true and correct copy of a chart prepared by Wang summarizing royalty payments and tax withholding by Hynix and which was produced by Wang in this matter.

18) Attached as Exhibit Q is a Certified Application for Certification of Tax Paid (or Due) on Korean Source Income of Nonresidents, which was produced by Wang in this matter.

19) Attached as Exhibit R is a true and correct copy of a facsimile cover page from the law firm of Kim & Chang to James Boudreau, dated June 15, 1992, which was produced by Wang in this matter.

20) Attached as Exhibit S are true and correct copies of letters from Michael Shanahan to Gwangho Kim and JeongHwan Lee, dated June 16, 1992. These letters were Exhibits 13 and 14, respectively, in the Paolillo deposition.

21) Attached as Exhibit T is a true and correct copy of a letter from Gwangho Kim to Michael Shanahan, dated June 20, 1992, which was Exhibit 15 in the Paolillo deposition.

22) Attached as Exhibit U is a true and correct copy of excerpts from Wang's answers to Samsung's and Hynix's interrogatories in this matter.

23) Attached as Exhibit V is a true and correct copy of a (partially redacted) letter from Kim & Chang to James Boudreau, dated July 28, 1992, which was Exhibit 53 in Mr. Boudreau's deposition.

24) Attached as Exhibit W is a true and correct copy of a letter from Gwangho Kim to Michael Shanahan, dated July 11, 1992, which was produced by Wang in this action.

25) Attached as Exhibit X is a true and correct copy of a letter from JeongHwan Lee to Michael Shanahan, dated July 27, 1992, which was produced by Wang in this action.

26) Attached as Exhibit Y is a true and correct copy of a letter from Robert D. Simon to the IRS Tax Treaty Division, dated July 24, 1996, which was Exhibit 29 in the Paolillo deposition.

27) Attached as Exhibit Z is a true and correct copy of a letter from Carol A. Dunahoo to Robert D. Simon, dated October 16, 2002, which was Exhibit 33 to the Paolillo deposition.

28) Attached as Exhibit AA is a true and correct copy of a memorandum from Carol A. Dunahoo to the Communications, Technology and Media Industry Director of the IRS, dated October 16, 2002, which was part of Exhibit 52 in the Paolillo deposition.

29) Attached as Exhibit BB are true and correct copies of letters from Anthony Paolillo to Hyung-ryang Chung, John Koo, and Doh-Seok Choi, all dated December 16, 2002, which were, respectively, Exhibits 35, 36 and 37 in the Paolillo deposition.

30) Attached as Exhibit CC is a true and correct copy of a letter from D.S. Chung to Anthony Paolillo, dated December 30, 2002, which was Exhibit 38 in the Paolillo deposition.

31) Attached as Exhibit DD is a true and correct copy of the expert report of Chang Nam Ahn, plaintiff's expert in this matter, dated September 30, 2005.

Signed under the penalties of perjury this 20th day of January, 2006.

/s/ Bruce S. Barnett

Bruce S. Barnett